

Postal Regulatory Commission

Washington, D.C. 20268-0001

NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that on August 18, 2011, the Commission received a petition for review of the Postal Service's determination to close the Pinehurst Village Station located in Pinehurst, North Carolina. The petition for review was filed by John M. Marcum and Bettye M. Marcum (Petitioners) and is postmarked August 12, 2011.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review). The Postal Service's administrative record is due no later than September 2, 2011.



Shoshana M. Grove
Secretary

Date: August 19, 2011

Attachment

A 2011-49

August 11, 2011

RECEIVED

Postal Regulatory Commission
Office of the Chief Admin. Officer

2011 AUG 18 P 2:37

AUG 16 2011

To: The Secretary
US Postal Regulatory Commission
901 New York Avenue NW, Suite 200
Washington, DC 20268-001

Re: USPS Closure of Pinehurst Village Station

Subject Appeal and Petition for Review

Under the provisions of Title 39, this is a notice of appeal and petition for review of the USPS decision to close the Village Postal Station in the downtown district of Pinehurst NC, 28370, and for suspension of that decision pending review.. The petitioners, John M Marcum and Bettye M Marcum, of 40 Caddell Rd, Pinehurst, NC 28370 hold PO Boxes 775 and 1891. They received notice of this pending closure on July 15, 2011 and the notice is attached for your convenience. As provided in Section 3001.115, petitioners request that a copy of PRC Form 61 be sent to them so they may list their arguments in favor of their petition and request for suspension. Following is a preliminary statement of the issues subject to revision, correction, and additional arguments to be presented in Form 61:

1..The notice of closure is flawed by not including the requirement of Section 404 (b) for a 60 day advance notice during which arguments and objections could be made. Only a simple questionnaire was circulated and the results were not given when the notice of closure was issued.

2. Also the required notification of the right to file a petition for review and the provisions for doing so including a 30 day time limit for filing was not provided. This had the effect of depriving petitioners and all box holders of the knowledge of their right to appeal and its time limitations, and deprived them of their opportunity to do. Only by chance, and at the last minute, did petitioners learn of this right.

3. On inquiry to the USPS District Office in Charlotte NC, the analysis used to show a \$66,000 savings to USPS from closure was revealed be seriously flawed among other things by its assumption that all box holders would transfer their boxes to the other Post Office on the border of Aberdeen, rather than switch to home delivery. If there were a true savings to the USPS by closure, the Village would be interested in paying this amount to USPS, perhaps in exchange for use of a small portion of the building, possibly for a tourist information service or other civic use.

4. The economic impact on Pinehurst's small historic downtown of the loss of over a thousand residents coming to the Post Office each day for their mail was not considered nor was the impact on economic and environmental factors of having many people drive several miles to the edge of Aberdeen rather than walk to get their mail.

5, The economic and historic impacts on the Village which is a National Landmark District were not properly weighed as required under Section 106 of the Historic Protection Act. which applies to USPS since it is a federal agency for the purposes of this Act.

6. According to the USPS District Office, the Village station would be the first National Historic Landmark station ever to be proposed for closure and USPS failed to apply under Section 106 to the historical authorities of the NPS and the NC State Historic Preservation Office.

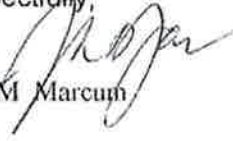
7. On information and belief, since the Old Town district of Pinehurst is nationally landmarked, the installation of mailboxes on the curbs of its streets would be an invasion of its landscape and Olmstead's design. Already, mailboxes are being nailed up in an uncoordinated manner with a variety of colors and structure thus distorting the appearance of the NHL area, and postal delivery vehicles are driving through the streets. .

8. It is also not clear whether the newer station erected on Blake rd on the Aberdeen border in the early 1990s was coordinated and approved under Section 106

Thank you for your consideration. If needed please do not hesitate to contact us by phone at 910 295 6304 or email at jmarcum@ncnr.com.

Respectfully,

John M Marcum



Bettye M Marcum

August 11, 2011